BILL NO. Z-81-11-08

ZONING MAP ORDINANCE NO. Z-Last

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. I-27

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-A - Limited Business and M-2 - General Industry under the terms of Chapter 33, The Code of the City of Fort Wayne, Indiana of 1974:

The south 120' of Lots #20 and #21 and all of Lots #22 and #23 all in the Original Plat of Waynedale.

and the symbols of the City of Fort Wayne Zoning Map No. I-27, referred to therein, established by Section 33-11 of said Chapter are hereby changed accordingly.

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

Mark E. Giaquinta
COUNCILMAN

APPROVED AS TO FORM AND LEGALITY THIS 4th DAY OF November, 1981.

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Gia Quinta, seconded by _____, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____ M.,E.S.T.

DATE: 11-10-81

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Gia Quinta, seconded by Schmidt, D., and duly adopted, placed on its passage. ~~PASSED~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	0	9			
BURNS		X			
EISBART		X			
GiaQUINTA		X			
NUCKOLS		X			
SCHMIDT, D.		X			
SCHMIDT, V.		X			
SCHOMBURG		X			
STIER		X			
TALARICO		X			

DATE: 12-8-81

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19____.

ATTEST: (SEAL)

_____
CHARLES W. WESTERMAN - CITY CLERK

_____
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M.,E.S.T.

_____
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of 19____, at the hour of _____ o'clock ____M.,E.S.T.

_____
WINFIELD C. MOSES, JR.
MAYOR

BILL NO. Z-81-11-08

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN ORDINANCE amending the City of Fort Wayne Zoning Map No. I-27

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO NOT PASS.

MARK E. GiaQUINTA, CHAIRMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

DONALD J. SCHMIDT

12-8-81
DATE

CONCURRED IN

CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 November 1981

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held November 23, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-81-11-08

2. From R-1 to B-1-A & M-2

3. Intended Use: Not Given

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   REASON: The proposed rezoning will establish an undesirable precedent in the neighborhood by allowing commercial encroachment, south of the alley into a stable residential neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 10, 1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-11-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 16, 1981;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 23, 1981.

Certified and signed this
25th day of November 1981.

Dennis J. Grotrian

Dennis J. Grotrian
Secretary

PRESCRIBED BY STATE BOARD OF ACCOUNTS

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 222

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

№ 7174

FT. WAYNE, IND., 10-19 19 81

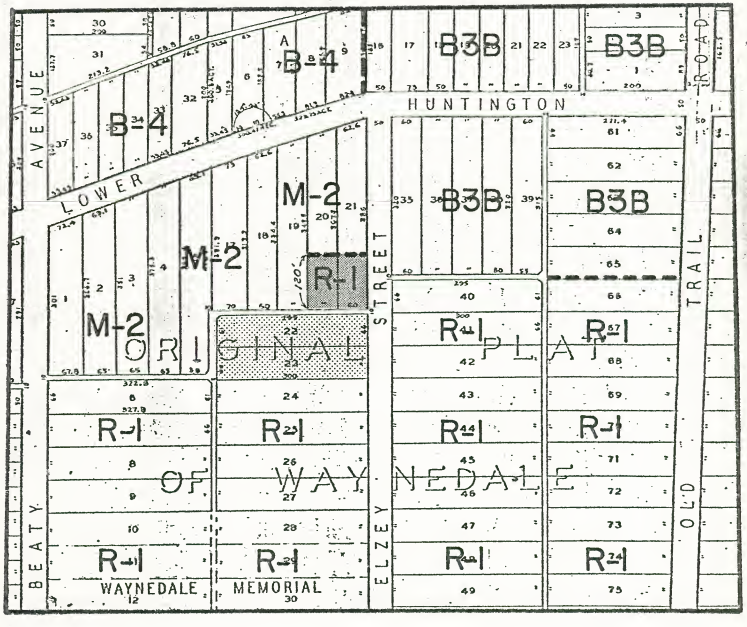
RECEIVED FROM Robert E. Weber $ 50.00

THE SUM OF fifty + 00/100 DOLLARS

ON ACCOUNT OF rezoning - L-1 to M-2 to B-1-H

Hat B.

AUTHORIZED SIGNATURE



ZONING RECLASSIFICATION FROM AN R-1 TO A M-2 DISTRICT.

ZONING RECLASSIFICATION FROM AN R-1 TO A BIA DISTRICT.

MAP NO. 1-27

Z-81-11-08

BY G.R. LAX 10-27-81

The south 120 feet of Lots #20 and #21 and all of Lots #22 and #23 all in the Original Plat of Waynedale.

TION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Robert E Weber
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an M-2 (LOTS # 20 21) B1A (LOTS # 22 23) District the property described as follows:

S120 FT LOTS 20-21
WAYNEDALE ADD ORIGINAL PLAT
The south 38 ft of the east 165 ft of lot numbered 22 original plat of Waynedale

E 165' OF S 38' LOT 22 ORIGINAL PLAT of Waynedale

(Legal Descrption) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
WILLIAM & RAEDEL ROBERTS	433 KINNAIRD FTWAYNE IND 46807	x William M Roberts x Raedel M. Roberts
ROBERT & MARGARET WEBER	6514 RESERVE LINE RD FT WAYNE IND 46819	x Robert E. Weber x Margaret R Weber
ZELLA V TOZZER	6902 FIZER FTWAYNE IND 46809	x Zella V Tozzer

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinanc being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matte for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)
ROBERT E WEBER	6514 RESERVE LINE RD FORT WAYNE IND 46819	219 747 4839 res. 219 426 3355 bus.

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

To whom it May Concern

Please give Robt Weber the legal description of my Property

DC Pfeler 10-16-81

West 135' of lot 22, all lots 23 [redacted] Waynedale original plat

Owners of Property

DELMER C & ELEANOR PEGLER	435 W. NEWPORT HOFFMAN ESTATES, ILL 60195	x Delmer C Pegler
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

5474

Admn. Appr._____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-81-11-08

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE The south 120' of Lots #20 and #21 and all of Lots #22 and #23 all in the Original Plat of Waynedale.

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential. Property will become B-1-A - Limited Business and M-2 - General Industry.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)_____

ASSIGNED TO COMMITTEE (J.N.)_____